

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MICHAEL CLIFTON JENNINGS, SR.,</b>	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>CIVIL ACTION NO. 24-CV-6872</b>
	:	
<b>BRUCE W. JENNINGS, et al.,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

AND NOW, this 30<sup>th</sup> day of January, 2025, upon consideration of Michael Clifton Jennings, Sr.’s Motion to Proceed *In Forma Pauperis* (ECF No. 7), *pro se* Complaint (ECF No. 1), and “Motion for PFA” (ECF No 8), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. For the reasons stated in the Court’s Memorandum, the Complaint is **DISMISSED**, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), as follows:
  - a. Mr. Jennings’s damages claims against Defendant Howell are **DISMISSED WITHOUT PREJUDICE** as barred by *Heck v. Humphrey*, 512 U.S. 477 (1994). The dismissal is without prejudice to Jennings filing a new case only in the event his underlying conviction is reversed, vacated, or otherwise invalidated.
  - b. The balance of the Complaint is **DISMISSED WITH PREJUDICE**.
4. The Motion for PFA is **DENIED**.

5. The Court certifies that any appeal from this Order is not taken in good faith.

*See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3)(A).

6. The Clerk of Court shall **CLOSE** this case.

**BY THE COURT:**

**/s/ Gerald Austin McHugh**

**GERALD A. McHUGH, J.**